

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ENCORE BIG BEAVER LLC,

Plaintiff,
vs.
Civil Action No. 20-cv-12345
HON. BERNARD A. FRIEDMAN
MAG. ELIZABETH A. STAFFORD

UNCLE JULIO'S OF FLORIDA, INC.
and UNCLE JULIO'S CORP.,

Defendants,

and

UNCLE JULIO'S OF FLORIDA, INC.,

Counter-Plaintiff,

vs.

ENCORE BIG BEAVER LLC,
Counter-Defendant.

/

**OPINION AND ORDER DENYING ENCORE BIG BEAVER LLC'S
OBJECTION AS MOOT**

Before the Court is Encore Big Beaver LLC's objection to Magistrate Judge Stafford's opinion and order denying Encore Big Beaver LLC's second motion to compel (ECF No. 97), a response from Uncle Julio's of Florida, Inc. (ECF NO. 99), and Encore Big Beaver LLC's reply (ECF No. 100). Each of these filings addresses

Magistrate Judge Stafford's July 6, 2022, opinion and order (ECF No. 96). This Court apologizes to the parties for the delay in ruling on the objection.

Following a hearing that included discussion of Encore's unresolved discovery requests on November 7, 2022, Magistrate Judge Stafford issued a new order (ECF No. 114). In it, she specified documents to be produced by Uncle Julio's of Florida and stated that "because the parties agreed that Encore's objections to the Court's order denying its motion to compel are stale, that filing is moot (ECF No. 97)." (*Id.* at PageID.2135). Accordingly,

IT IS ORDERED that Encore Big Beaver LLC's objection to Magistrate Judge Stafford's opinion and order denying Encore Big Beaver LLC's second motion to compel (ECF No. 97) is DENIED AS MOOT.

s/Bernard A. Friedman
Hon. Bernard A. Friedman
Senior United States District Judge

Dated: November 10, 2022
Detroit, Michigan